

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

In re POLYURETHANE FOAM ANTITRUST LITIGATION)	MDL Docket No. 2196 Index No. 10-MD-2196(JZ)
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This document relates to:)
)
Direct Purchaser Cases))
)
SPRING AIR INTERNATIONAL LLC, et al. v. HICKORY SPRINGS MANUFACTURING COMPANY, et al., Case No. 3:12-pf-10021-JZ))
)
ENGLANDER SOUTHWEST, et al. v. HICKORY SPRINGS MANUFACTURING COMPANY, et al., Case No. 3:12-pf-10022-JZ))
)
JEFFCO FIBRES, INC. v. HICKORY SPRINGS MANUFACTURING COMPANY, et al., Case No. 3:12-pf-10023-JZ))
)
GRAND RAPIDS BEDDING CO. v. HICKORY SPRINGS MANUFACTURING COMPANY, et al., Case No. 3:12-pf-10024-JZ))
)
JONATHAN STEVENS MATTRESS CO. v. HICKORY SPRINGS MANUFACTURING COMPANY, et al., Case No. 3:12-pf-10025-JZ))
)

**STIPULATION AND ORDER TO EXTEND TIME
UNDER FEDERAL RULE OF CIVIL PROCEDURE 12**

WHEREAS, the United States Judicial Panel on Multidistrict Litigation (“JPML”) entered a Conditional Transfer Order (Dkt. No. 493) that was filed with this Court on September 14, 2012, and took effect seven (7) days thereafter, on September 21, 2012, transferring each of the five (5) above-captioned actions to this Court under 28 U.S.C. §1407;

WHEREAS, Paragraph 3 of this Court's May 12, 2011 Amended Case Management Order (Dkt. No. 139) states that "Defendants named as party defendants in a Direct Action (Non-Class) Complaint . . . transferred to this MDL after the date of the ruling will answer, move or otherwise respond to that Direct Action (Non-Class) Complaint within 45 days after the complaint is . . . transferred"; and

WHEREAS, to date, undersigned counsel for Plaintiffs in each of the five (5) above-captioned actions has not served the Defendants with service of process, pursuant to Federal Rule of Civil Procedure 4 and/or Paragraphs 6 through 8 of this Court's May 12, 2011 Amended Case Management Order (Dkt. No. 139), in any of those actions;

IT IS HEREBY ORDERED, as STIPULATED AND AGREED by and between the undersigned counsel for the respective parties, as follows:

1. None of the undersigned Defendants shall be required to answer, move or otherwise respond to the pleadings filed in any of the five (5) above-captioned actions until **30** **days** after they have been properly served as specified in this Court's May 12, 2011 Amended Case Management Order; and
2. This Stipulation shall not toll any applicable statutes of limitation.

SO ORDERED:

/s/ Jack Zouhary

JUDGE JACK ZOUHARY
U.S. DISTRICT JUDGE

November 1, 2012

ENTERED

Respectfully submitted this 31st day of October, 2012.

/s/ Charles E. Tompkins

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